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Title: Regarding construction of an offshore Reservoir Irrigation Project over the river Mahendranaya by the Government of Andhra Pradesh thereby affecting the supply of water for drinking and irrigation purposes in adjoining regions of Orissa.

SHRI BRAJA KISHORE TRIPATHY (PURI): Mr. Speaker, Sir, I would like to draw the attention of the Government of India to a very important matter. [R5]Despite repeated written protests by the Government of Orissa, the Government of Andhra Pradesh recently has laid the foundation stone for the construction of an Offshore Reservoir Irrigation Project over the inter-State river Mahendranaya between Chapara village of Andhra Pradesh and Agarakhandi village of Gajapati district of Orissa thereby *violating the Inter-State River Treaty of 1962.*

MR. SPEAKER: Please do not make allegations against the State Government.

SHRI BRAJA KISHORE TRIPATHY : No, Sir.

MR. SPEAKER: Just state the facts, but do not make allegations.

SHRI BRAJA KISHORE TRIPATHY : I am not making any allegations. They have started the construction *violating.*

MR. SPEAKER: I think you have said, "Illegally."

SHRI BRAJA KISHORE TRIPATHY : *the treaty of 1962, the inter-State treaty of 1962, between the two States – Orissa and Andhra Pradesh. This Mahendranaya*

SHRI K.S. RAO (ELURU): Mr. Speaker, Sir

MR. SPEAKER: This is the problem.

...(Interruptions)

MR. SPEAKER: Mr. Rao, do not say that. I have already taken this action. Do not write those words. I have already intervened. I have seen this. State the facts please.

SHRI BRAJA KISHORE TRIPATHY : The Mahendranaya River originates from Mahendragiri hills of Orissa. What Andhra Pradesh is trying to do is to divert the river channel through a sluice on the left bank of the river. This may result in the water getting totally diverted to the State of Andhra Pradesh thereby adversely affecting Orissa territory which lies below this point. Let me *...*

\* Not recorded.

MR. SPEAKER: I will call you, Mr. K.S. Rao.

SHRI BRAJA KISHORE TRIPATHY : You will not allow me to speak.

MR. SPEAKER: I have allowed you to speak.

SHRI BRAJA KISHORE TRIPATHY : You have allowed me, Mr. Speaker, Sir. You are kind enough.

MR. SPEAKER: That's why, I called you. Please speak. I have permitted you.

SHRI BRAJA KISHORE TRIPATHY : The technical opinion is that the channel may cause sand casting which may ultimately lead to a change in the course of the river. So, if they divert the river, it will change the course of the river – that is the technical report. In this connection, the Prime Minister of Orissa has protested so many times and has written a letter to Chief Minister of Andhra Pradesh to stop this project. In accordance with the treaty, construction of any project over the inter-State river mandates consensus between both the States, as various points regarding the prospective damage to the other State, submerging of the land area are to be resolved. All these things are there in the treaty itself. Before any construction starts, both the States should decide about it and the affected State should also be consulted as to what is the damage to the other State. This has not been taken into consideration by the State of Andhra Pradesh. This river is a major source for providing drinking water and irrigation to the naxal-infested Gajapati district of Orissa. You know, Sir, this is the most naxal-infested district. There is a lot of agitation going on in the district itself and the people are agitating, because they are not even likely to get drinking water, if the river course is changed. The whole of Paralakhemundi and Gajapati district will be affected by it. It is now urgently required by the Union Government to intervene in this matter for resolving the inter-State river dispute by setting up an Inter-State River Tribunal. Even the Central Water Commission has not been consulted. They also have not given their opinion on this. On any subject concerning an inter-State river dispute, it is

necessary that the Central Water Commission should give their opinion, their technical opinion, and which should be binding on both the States. This is the mandate and provision in the Inter State River Tribunal Dispute Act. So for this thing, the State of Andhra Pradesh is not consulting. They are going on unilaterally <sup>â€</sup> without consulting the State of Orissa and without consulting the Government of India, without taking the opinion or technical report of the Central Water Commission. They are doing all these things. This is not a one-way traffic. That is why, the State of Orissa will be affected very seriously. So, I request the Union Government earnestly that they should immediately set up as Inter-State River Tribunal for the settlement of this dispute of the two States. This is the spirit of our federalism. The Government of India should immediately intervene and come forward to help both the States. Otherwise, bad blood will flow between the two States.

MR. SPEAKER: I am sure you can all cooperate and come to decisions.

SHRI BRAJA KISHORE TRIPATHY: Now both the States have good relations. Then, the bad blood will flow and this will create a very serious situation in future. That is why, my request to the Government is to intervene in this. I have also written a letter in this regard. The Chief Minister has also written a letter to the Union Government. I have also written to the hon. Prime Minister regarding this matter. [\[MSOffice6\]](#)

I have brought this matter to his attention for his intervention. I would request that the Government of India should respond immediately on this matter. I would like to know the opinion of the Minister. Even the Leader of the House is also present here. So, I want a response from the Government of India and they should immediately set up an Inter-State River Water Tribunal.

MR. SPEAKER: You have made your point. Thank you for your cooperation. Shri K.S. Rao will make a submission now. But please do not make any mutual allegation.

SHRI K.S. RAO : No, Sir. I will not make any allegation. The point is, Polavaram

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\* Not recorded.

Project is being constructed to a level of 150 feet. Hon. Members from Orissa have earlier raised this issue stating that the Government of Andhra Pradesh is constructing this dam beyond 150 feet. Later it was clarified that technically as per the Bachawat Award the Government of Andhra Pradesh is constructing this project and it is not crossing its limit with regard to utilization of water also. ...(*Interruptions*)

SHRI BRAJA KISHORE TRIPATHY : Sir, the issue is not regarding Polavaram Project. ...(*Interruptions*)

MR. SPEAKER: That is why I say these matters should not be raised here. The Government of Andhra Pradesh is not here to reply. He is not authorized by the Government of Andhra Pradesh.

...(*Interruptions*)

SHRI K.S. RAO : Sir, I kept quiet when he spoke. Let me also say that the hon. Member was telling that the State of Orissa will be deprived of the water that they should actually get. The actual fact is that 3,600 TMC feet of water is going to the sea even today and what the Government of Andhra Pradesh is utilizing is less than 300 TMC feet of water in Polavaram Project. ...(*Interruptions*) It was not a technical objection and hon. Members were not responsible for it. I can understand if it was a technical aspect, but it was made a political issue.

MR. SPEAKER: No politics here.

SHRI K.S. RAO : No, Sir, it was made a political issue in Andhra Pradesh. ...(*Interruptions*) I am not making any allegation against Members from Orissa. In Andhra Pradesh, the Opposition parties are actually provoking the Orissa Government which has not made any objection. Even when this matter went to the court it was only at the instance of the Opposition parties in Andhra Pradesh. So, the Government of Andhra Pradesh has not violated any technical aspect and it is going as per the Bachawat Award. ...(*Interruptions*)

MR. SPEAKER: He has referred to some other project.

...(*Interruptions*)

SHRI K.S. RAO : Sir, I am not telling anything against them. But some Opposition parties in Andhra Pradesh and some vested interests think that if the Polavaram Project is completed, they will become unpopular and the Congress Party will

become popular. So they are provoking the Government of Orissa on this matter. ...(*Interruptions*)

MR. SPEAKER: Water is a national resource for people's benefit. I am sure it will be shared in a manner which will be to the interests of everybody. Nothing more on this now. We are going to the next item.

...(*Interruptions*)

MR. SPEAKER: Nothing is being recorded.

(*Interruptions*)  $\hat{\epsilon}_i^*$